

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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PUTNAM LEASING COMPANY, INC.,

Plaintiff,

-against-

ORDER

05 CV 141 (RJD) (RML)

WALTER R. FIELDS,

Defendant.

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DEARIE, District Judge.

Plaintiff Putnam Leasing Company alleges that defendant Walter R. Fields defaulted on his payments for the Bentley automobile that he leased from plaintiff. Fields counterclaimed against plaintiff and brought a third-party complaint against Bentley Motors. After Putnam began making discovery requests, Fields discharged his attorney and informed Magistrate Judge Robert M. Levy that he would no longer participate in this matter. Putnam now moves to find Fields in default, and Bentley Motors moves to dismiss Fields' third-party complaint for failure to prosecute. On August 28, 2006, the Court referred these motions to Magistrate Judge Levy pursuant to 28 U.S.C. § 636(b)(1)(B). On November 3, 2006, Magistrate Judge Levy issued a report, recommending that Fields be held in default, that his counterclaims be dismissed, and that his third-party complaint against Bentley Motors be dismissed for lack of prosecution.

The Court has reviewed Magistrate Judge Levy's Report and Recommendation. No objections have been filed. The Court adopts Magistrate Judge Levy's Report and Recommendation without qualification.

SO ORDERED.

Dated: Brooklyn, New York

January 22, 2007

s/ Judge Raymond J. Dearie

RAYMOND J. DEARIE
United States District Judge